



STATE OF DELAWARE

PUBLIC SERVICE COMMISSION
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CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

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February 23, 2018

VIA E-MAIL AND DELAFILE

Mr. Daniel Kern, CEO
SmartEnergy Holdings, LLC
575 Lexington Avenue, 4th Floor
New York, NY 10022

IN THE MATTER OF THE APPLICATION OF SMARTENERGY HOLDINGS, LLC FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (FILED FEBRUARY 5, 2014) - PSC DOCKET NO. 14-64

Dear Mr. Kern –

The Staff of the Delaware Public Service Commission ("Staff") is in receipt of the customer contract and marketing materials for Residential and Small Commercial Customers submitted by SmartEnergy Holdings, LLC (the "Company") on February 21, 2018. Staff requests additional revisions as stated below in order to comply with 26 Del. Admin C. §3001¹ ("Supplier Rules").

Section 6.2.2.7.1 of the Supplier Rules provides as follows: **The Residential or Small Commercial Customer may Rescind the Contract within three (3) Business Days from the start of the Rescission Period; and**

6.2.2.7.2 The Rescission Period begins on one of the following dates, as applicable;

6.2.2.7.2.1 When the Residential or Small Commercial Customer signs the Contract;

6.2.2.7.2.2 When the Residential or Small Commercial Customer transmits the electronic acceptance of the Contract electronically; or

6.2.2.7.2.3 When the Residential or Small Commercial Customer receives the Contract and Contract Summary, if received by mail. There shall be a rebuttable presumption that a Contract and Contract Summary correctly addressed to a Residential or Small Commercial Customer with sufficient first class postage attached shall be received three (3) days after it has been properly deposited in the United States mail.

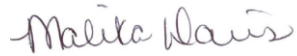
The EDC is not required to and may not send a letter confirming a customer's request to switch to an Electric Supplier. Please revise the Contract Summary and Right to Cancel section of the Contract to comply with the Supplier Rules.

Section 6.2.2.9 of the Supplier Rules provides as follows: **The Electric Supplier's local or toll-free telephone number to obtain information and handle complaints; mailing address and website address; the Commission's address website address, Delaware toll-free telephone number; and the DPA's address, website address, and telephone number.** Please include Commission's contact information in Section 15b of the contract.

¹ See Order No. 9020 in Regulation Docket 49.

I can be reached at (302) 736-7521 or by email at malika.davis@state.de.us, should you have any questions. You may also contact Ms. Shona Marshall at (302) 736-7539 or by email at Clishona.marshall@state.de.us.

Sincerely,

A handwritten signature in dark ink that reads "Malika Davis". The signature is written in a cursive, flowing style.

Malika Davis
Public Utility Analyst